

3737

PATENT  
ATTORNEY DOCKET NO. 024607-0022

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
 )  
Michael SUTHERLAND et al. )  
 )  
Application No.: 09/161,753 )  
 )  
Filed: September 29, 1998 )  
 )  
For: REMOVABLE MEDIA RECORDING )  
STATION FOR THE MEDICAL )  
INDUSTRY )

Group Art Unit: 3737

Examiner: E. Mercader



Commissioner for Patents  
Washington, D.C. 20231

Sir:

RECEIVED  
JAN 30 2001  
TC 3700 MAIL ROOM

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Office Action dated August 9, 2000.
2. Additional papers enclosed:
  - ☐ Drawings: ☐ Formal ☐ Informal (Correction)
  - ☒ Information Disclosure Statement
  - ☒ Form PTO-1449, Notification of Transmittal of the International Search Report or Declaration, International Search Report and 5 cited references included
  - ☐ Declaration of Biological Deposit
  - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

PATENT  
U.S. APPLICATION NO. 09/161,753  
ATTORNEY DOCKET NO. 024607-0022

- [X] Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
[ ] one month	\$ 110.00	\$ 55.00
[ ] two months	\$ 390.00	\$195.00
[X] three months	\$ 890.00	\$445.00
[ ] four months	\$1,390.00	\$695.00

Extension of time fee due with this request: \$890.00.

If an additional extension of time is required, please consider this a Petition therefor.

- [ ] An extension for \_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- [x] **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

PATENT  
U.S. APPLICATION NO. 09/161,753  
ATTORNEY DOCKET NO. 024607-0022

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	15	minus	20	0	x \$18 each=	+ \$
Independent Claims (37 C.F.R. §1.16(b))	3	minus	3	0	x \$80 each=	+ \$
[ ] First presentation of Multiple dependent claim(s)					\$270.00	+ \$
SUB-TOTAL =						\$
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$ 0

6. Fee Payment

[ ] No fee is to be paid at this time.

[X] Check in the amount of \$1,070.00 for a three-month petition for extension of time and fee for filing a Supplemental Information Disclosure Statement under 37 C.F.R. § 1.197(c) is enclosed. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: January 19, 2001  
CUSTOMER NO. 09629  
MORGAN, LEWIS & BOCKIUS LLP  
1800 M Street, N.W.  
Washington, D.C. 20036-5869  
202-467-7000

By: Lesley L. Coulson  
Lesley L. Coulson  
Reg. No. 46,642